

REMARKS

Claims 1-13 are pending in this application. Applicants note with appreciation the indication of allowable subject matter in Claims 2, 3, 6 and 12.

REJECTIONS UNDER 35 U.S.C. §103

Claims 1, 4-5, 7-11 and 13 are rejected under 35 U.S.C. §103(a) as obvious and unpatentable over Sandridge, EP 1,244,416. Applicants respectfully traverse this rejection.

The present invention, as recited in Claim 1, relates to a method of dimerizing isocyanates comprising reacting isocyanate functional compounds in the presence of phosphines containing at least one cycloaliphatic radical attached directly to phosphorus as catalysts resulting in the formation of uretdiones. Applicants submit that Claim 1, and the claims depending therefrom, are not rendered obvious by Sandridge.

It is asserted in the Office Action that Sandridge "suggests" a phosphine containing at least one cycloaliphatic radical attached directly to phosphorus for use as a catalyst, by the disclosure of two alkyl groups linked together to form a ring, as in the case of p-butyl-phosphacyclopentane. Applicants respectfully submit that a heterocyclic ring compound containing the phosphorous atom in the ring would not be at all suggestive of a cyclic compound attached to a phosphorous atom. The compound described in Sandridge is not a close homolog to the claimed compound, and therefore a *prima facie* case of obviousness in view of Sandridge is not established. As set forth in the MPEP at 2144.09, even isomers having the same empirical formula but different structures (which is not the case in the present situation) are not necessarily considered equivalent by chemists skilled in the art and therefore are not necessarily suggestive of each other. *Ex parte Mowry*, 91 USPQ 219 (Bd. App. 1950) (claimed cyclohexylstyrene not *prima facie* obvious over prior art isohexylstyrene).

Additionally, Sandridge teaches trimerization of isocyanates, while in the present invention dimerization is occurring. There is not the slightest suggestion in Sandridge of a method of forming uretdiones, and no indication of any catalysts that

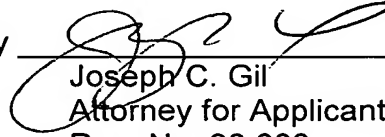
can be used for such a purpose. Applicants respectfully submit that all claims, Claims 1-13, are nonobvious and patentable in view of the Sandridge reference. Applicants respectfully request withdrawal of this basis of rejection.

SUMMARY

As all outstanding issues have been addressed, Applicants submit that Claims 1-13 are in condition for allowance; such action is respectfully requested at an early date.

Respectfully submitted,

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